



CANNON BUILDING
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STATE OF DELAWARE
DEPARTMENT OF STATE

DIVISION OF PROFESSIONAL REGULATION

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PUBLIC MEETING MINUTES:	Board of Geologists
MEETING DATE AND TIME:	Friday, August 9, 2013 at 10:00 a.m.
PLACE:	861 Silver Lake Boulevard, Dover, Delaware Conference Room B, Cannon Building
MINUTES APPROVED:	September 13, 2013

MEMBERS PRESENT

Scott Blaier, President, Professional Member
David Reinhold, Vice President, Professional Member
William "Sandy" Schenck, Professional Member
Patricia Ennis, Public Member
Maureene LaFate, Public Member

DIVISION STAFF/DEPUTY ATTORNEY GENERAL

Amanda McAtee, Administrative Specialist II
Jennifer L. Singh, Deputy Attorney General

MEMBERS ABSENT

Douglas Rambo, Secretary, Professional Member
Amos Aiken, Public Member

PUBLIC PRESENT

None

CALL TO ORDER

Mr. Blaier called the meeting to order at 10:04 a.m.

REVIEW OF MINUTES

The Board reviewed the meeting minutes from the June 14, 2013 meeting. Ms. Ennis made a motion, seconded by Ms. LaFate, to approve the minutes. The motion carried unanimously.

BOARD ELECTIONS

Mr. Blaier nominated Mr. Reinhold for President, Mr. Rambo for Vice President, and Mr. Schenck for Secretary. Mr. Schenck made a motion, seconded by Mr. Blaier, to elect Mr. Reinhold as President, Mr. Rambo as Vice President, and Mr. Schenck as Secretary. The motion carried unanimously.

The Board thanked Mr. Blaier for his service to the Board as President. The next scheduled Board election will be held on August 8, 2014.

OLD BUSINESS

Legislative Update

Mr. Blaier stated that SB 87 passed and the Board thanked Mr. Rambo for his help during the legislative process. The Governor signed SB 87 on July 18, 2013.

Re-Review of Audits

Loren Lasky

Mr. Blaier stated that he reviewed the audit of Loren Lasky and due to the large amount of information that was sent to the Board, it took him about forty-five minutes to review. Mr. Blaier made a motion, seconded by Ms. LaFate, to approve the audit of Loren Lasky. The motion carried unanimously.

Theodore E. Bedell

The Board re-reviewed the audit of Theodore E. Bedell. Sandy stated that there were several items that needed clarification and that a home study credit could not be credited for studying to take the ASBOG exam. If it were a formal study course that may be acceptable but he did not complete a formal study course. Ms. McAtee stated that she would send him a letter to give him an opportunity to provide the Board more information.

Ned E. Wehler

Paul V. Fluck

Ms. McAtee stated that she had requested additional information from Ned Wehler and Paul Fluck and had not received a response from either licensee. After brief discussion, Mr. Blaier made a motion, seconded by Mr. Schenck, to forward Mr. Wehler and Mr. Fluck's audit files to the Division's hearing officer unit. The motion carried unanimously.

David Wilcots

Mr. Schenck stated that he had reviewed the additional information submitted by David Wilcots and concluded that his audit was now complete. Mr. Schenck made a motion, seconded by Ms. LaFate, to approve the audit of David Wilcots and to cancel Mr. Wilcot's rule to show cause hearing that had been scheduled by the Division's hearing officer unit. The motion carried unanimously.

NEW BUSINESS

Practice Under Supervision – none

Review of Continuing Education Approval Applications – none

Review of Application for Reciprocity – none

Review of Applications for Examination

Luke Portieles

Mr. Reinhold reviewed the application by examination for Luke Portieles. Mr. Reinhold made a motion, seconded by Mr. Blaier, to approve the application for Luke Portieles to sit for the FG and PG exams and approve his application for licensure contingent upon successful completion of the FG and PG exams. The motion carried unanimously.

Board Deliberation and Vote on Hearing Officer Recommendations

Michael J. Cody

Ms. Singh summarized the hearing officer recommendation for Michael J. Cody. The Board confirmed that they had reviewed the hearing officer recommendation prior to the meeting. After deliberation, Mr. Blaier made a motion, seconded by Mr. Schenck, to amend the hearing officer recommendation of Michael J. Cody to allow Mr. Cody 60 days to complete his continuing education, seal, and fine requirements, and if the requirements of his Order were not completed his license would be suspended thereafter without further notice and hearing. The motion carried unanimously.

Joseph A. Hau

Ms. Singh summarized the hearing officer recommendation for Joseph A. Hau. The Board confirmed that they had reviewed the hearing officer recommendation prior to the meeting. After deliberation, Ms. Ennis made a motion, seconded by Mr. Schenck, to amend the hearing officer recommendation of Joseph A. Hau to allow Mr. Hau 60 days to complete his continuing education and fine requirements. The motion carried unanimously.

Joel J. Lazzeri

Ms. Singh summarized the hearing officer recommendation for Joel J. Lazzeri. The Board confirmed that they had reviewed the hearing officer recommendation prior to the meeting. After deliberation, Mr. Schenck made a motion, seconded by Mr. Reinhold, to reject the hearing officer recommendation of revoking the license of Joel J. Lazzeri. The discipline imposed by the Board would be similar to the other hearing officer recommendations that the Board had recently reviewed. The Board ordered Mr. Lazzeri to be issued a letter of reprimand, complete 24 acceptable continuing education credits within 60 days of the date of his Order, present evidence of his Delaware geology seal within 60 days of the date of his Order, pay a \$250 fine within 60 days of the date of his Order, if Mr. Lazzeri failed to complete the requirements within 60 days of the date of his final Order his license would be suspended thereafter without further notice and hearing, and his license would be audited at the time of the next renewal in 2014. The motion carried unanimously.

Joseph LaPann

Ms. Singh summarized the hearing officer recommendation for Joseph LaPann and reminded the Board that Mr. LaPann had submitted written comments that they had to consider in their deliberations. The Board confirmed that they had reviewed the hearing officer recommendation and Mr. LaPann's written comments prior to the meeting. After deliberation of Mr. LaPann's hearing officer recommendation and written comments, Mr. Schenck made a motion, seconded by Mr. Reinhold, to amend the hearing officer recommendation of Joseph LaPann to allow Mr. LaPann 60 days to complete his continuing education and fine requirements, the Board also added that Mr. LaPann needed to present evidence of his Delaware geology seal within 60 days of the date of his Order as well. The motion carried unanimously.

Review of Rules and Regulations (to add in-active status)

Ms. Singh stated that she would review what the Board had drafted back in March of 2012 before they realized that a statutory change was necessary before they amended their Rules and Regulations to add an in-active status. The Board agreed that they would review their Rules and Regulations and draft changes at their next scheduled meeting.

ASBOG 2013 Annual Meeting – Knoxville, TN October 28th- November 2, 2013

Mr. Blaier stated that the Board had funds to send two Board members to the fall meeting. Mr. Rambo and Mr. Reinhold had previously expressed interest in attending. Mr. Schenck stated that he would have a busy year as President of ASBOG and that the task analysis survey (TAS) would soon be sent out to professionals and educators. Their responses would become the blue print of future exams. Every five years ASBOG conducted the TAS.

OTHER BUSINESS BEFORE THE BOARD (for discussion only)

WALL CERTIFICATES

There were no wall certificates to sign at this meeting.

PUBLIC COMMENT

There was no public comment at this meeting.

NEXT SCHEDULED MEETING

The next meeting is scheduled for September 13, 2013 at 10:00 a.m. in Conference Room B, second floor of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware.

ADJOURNMENT

There being no further business, Ms. Ennis made a motion, seconded by Mr. Blaier to adjourn the meeting at 12:00 p.m. The motion carried unanimously.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'A McAtee', with a stylized flourish at the end.

Amanda McAtee – DE Board of Geologists
Administrative Specialist II

*The notes of this meeting are not intended to be a verbatim record of the topics that were presented or discussed.
They are for the use of the Board members and the public in supplementing their personal notes and recall for presentations.*